

FEBRUARY 2008

Campaign	
Charles Bell, Jr. Dated: February 5, 2008 File Number I-07-184	<p>If a corporation provides the results of an opinion survey including questions about candidates, incumbent officeholders and issues facing the community, to an officeholder, the survey results will constitute an in-kind contribution to the officeholder if used for political purposes. If the results are provided to the officeholder after the election to which they relate, the value of the poll results is still calculated according to the federal formula used by the FPPC which decreases the value of polls as they age.</p>
Charlene Cruz Los Angeles County Registrar-Recorder Dated: February 15, 2008 File Number A-08-019	<p>Superior court judges must file Form 501 (Candidate Intention Statement) and other original campaign forms directly with the Secretary of State. The county elections official is not obligated to accept the forms and forward them to the Secretary of State.</p>
Mario A. Vazquez NuStarpac Dated: February 25, 2008 File Number A-08-013	<p>A contribution made to a U.S. Congressman does not trigger reporting requirements under the Political Reform Act.</p>

Conflicts of Interest	
Fraser, John P. El Dorado Irrigation District Dated: February 19, 2008 File Number A-08-011	<p>Because the construction of a casino project had already commenced and would be completed regardless of water district's decision to allocate water to the casino, a district board member whose residence was indirectly involved in the decision could participate in the decision so long as there were no indications that the decision could affect the final size or capacity of the casino.</p>
Randon Lane Planning Commissioner City of Murrieta Dated: February 25, 2008 File Number I-08-009	<p>City Planning Commissioner sought advice regarding whether he may participate in decisions involving a developer or other source of commission income to him who brings a project for approval before his agency. Requestor was advised that the financial effect of the governmental decision on the developer (or other source of commission income) to the official is presumed material. Therefore, unless the presumption is rebutted, the official may not make, participate in making, or influence any decision involving the developer or other sources of commission income who come before the official's agency.</p>
Louie A. Lujan Mayor & City Councilman City of La Puente Dated: February 27, 2008 File Number I-08-010	<p>Elected officer of a city requested information regarding sitting on the board of an environmental PAC. The PAC has made contributions to the elected officer and asked him to be on the board. The elected officer has done some fund-raising for the PAC. Staff advised that there is no conflict in accepting the contributions, and that sitting on the</p>

	board of directors could make the PAC his controlled committee and he could violate the one bank account rule. If he continues to fund-raise as a board member, the contributions will be considered contributions to his campaign.
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SECTION 84308	
Stuart Waldman California Board of Accountancy Dated: February 5, 2008 File Number I-08-005	<p>Under Section 84308, member of state board is prohibited from soliciting a contribution of more than \$250 from a firm or an agent of the firm that is the subject of a disciplinary proceeding before the board while the proceeding is pending and for three months following the date the disciplinary decision is rendered. If an employee of the firm, and not the firm itself, is the subject of the proceeding, the board member is similarly prohibited from soliciting a contribution of more than \$250 from the firm or an agent of the firm if the firm is a participant, or an agent of a party or participant, in the proceeding. If the firm is neither a participant, nor an agent of a party or participant, in the proceeding, the board member may only accept, solicit, or direct a contribution of more than \$250 from the firm (or contributions aggregating to more than \$250 from the firm and the employee) if the employee does not direct and control the firm's contribution.</p>

February 2008
Juanita G. Lira